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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,029	07/17/2003	Karthigesu Sivacumarran	927-26-033	4460
23935	7590	10/18/2005	EXAMINER	
KOPPEL, JACOBS, PATRICK & HEYBL 555 ST. CHARLES DRIVE SUITE 107 THOUSAND OAKS, CA 91360			HODGES, MATTHEW P	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/623,029	SIVACUMARRAN, KARTHIGESU	
	Examiner	Art Unit	
	Matt P. Hodges	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 10-15, 18, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 5, 7-9, 16, 17, 19, 20 and 23-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/9/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP

9219575. Although claim 1 does not appear to specify conductive pathways formed on both sides of a circuit board and connected to lamp terminals on both sides of the board, Yakiharu discloses the use of lamp terminals formed on both sides of the board with conductive pathways connected to the terminals on both sides of the board. This advantageously allows for the use of the more operationally flexible three terminal lamps without bending of the terminal portions.

Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the use of terminal portions connected to conductive pathways

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both formed on both sides of the board as disclosed by Yakiharu in order to advantageously allow for the use of the more operationally flexible three terminal lamps.

Claims 4 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 15 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above.

Claim 10 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above.

Claim 11 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above. Further it is common to include electrical pathways on a printed circuit board.

Claim 12 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above.

Claim 13 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 14 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above.

Claim 14 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 7 of U.S. Patent No. 6,727,652 in view of Yakiharu et al. JP 9219575. See the rejection of claim 1 above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 10, 11, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Yakiharu et al. (JP 9219575).

Regarding claims 1 and 10, Yakiharu discloses (see figure 1) a lamp assembly including a circuit board (2) including conductive pathways on both sides of the circuit board and connected to a lamp formed on an edge portion of the board with terminals in contact with the conductive pathways on both sides of the board and receptacle for receiving the circuit board. The lamp is a diode. Further the circuit board is connected to the power source at the bottom portion of the circuit board. (Abstract).

Regarding claim 2, the lamp is mounted symmetrically with respect to the mid plane of the circuit board. (See figure 1).

Regarding claim 3, the lamp has a generally cylindrical body that is connected to the board at the mid plane of the cylindrical body. (See figure 1).

Regarding claim 11, the terminals of the LED lamp are soldered to the pathways on the circuit board. (Abstract)

Regarding claim 15, the board is rectangular and generally symmetrical about a horizontal axis. (See figure 1).

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Claims 18, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Chliwnyj et al. (US 5,924,784).

Regarding claim 18, Chliwnyj discloses (see figure 5) a lamp assembly including a circuit board (63) including conductive pathways and lamps in the form of diodes formed on both sides of the circuit board. Further the circuit board is connected to the power source at the bottom portion of the circuit board. Each of the diode elements is independently operable through the circuit wiring. (Column 13 lines 35-51).

Regarding claims 21 and 22, Chliwnyj further discloses the alternative use of LED lamps connected to the board by terminal wires. These wires would be soldered to the board as is known in the art.

Allowable Subject Matter

Claims 2, 3, 5, 7-9, 15-17, 19, 20, and 23-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 5, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 5, and specifically comprising the limitation a lamp assembly including a circuit board with at least one lamp fixed on one end with terminals connected to both sides of the board and electrical terminals on one edge of the board for electrically connecting the board to the lamp holder. Further the lamps are mounted symmetrically with regard to the central axis of the board.

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Regarding claim 7, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 7, and specifically comprising the limitation a lamp assembly including a circuit board with at least one lamp fixed on one end with terminals connected to both sides of the board and electrical terminals on one edge of the board for electrically connecting the board to the lamp holder. Further the lamps are independently operable and connected to different combinations of the pathways.

Regarding claims 8 and 9, claims 8 and 9 are allowable for the reasons given in claim 7 because of their dependency status from claim 7.

Regarding claim 16, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 16, and specifically comprising the limitation a lamp assembly including a circuit board with at least one lamp fixed on one end with terminals connected to both sides of the board and electrical terminals on one edge of the board for electrically connecting the board to the lamp holder. Further the conductive portions are applied to both opposite faces of the board with connections there between through the board.

Regarding claim 17, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 17, and specifically comprising the limitation a lamp assembly including a circuit board with at least one lamp fixed on one end with terminals connected to both sides of the board and electrical terminals on one edge of the board for electrically connecting the board to the lamp holder. Further assembly is used as a press button.

Regarding claim 19, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 19, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to

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different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further at least one lamp is connected to a conductive portion unique to that lamp.

Regarding claim 20, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 20, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further there are two independently operable lamps connected to the three conductive portions.

Regarding claim 23, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 23, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further the circuit board includes circuitry to permit connection to the lamp holder with different polarizations.

Regarding claim 24, claim 24 is allowable for the reasons given in claim 23 because of its dependency status from claim 23.

Regarding claim 25, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 25, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further the circuit board is

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rectangular in shape with the lamp projecting at one end and the conductive portions at the opposite end.

Regarding claim 26, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 26, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further the circuit board is generally symmetrical about a horizontal axis.

Regarding claim 27, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 27, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further the conductive portions are applied to both sides of the board with connection there between through the board.

Regarding claim 28, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 28, and specifically comprising the limitation a lamp assembly including a circuit board with at lamps affixed to the board and connected to different pathways leading to different combinations of conductive portions formed on one edge of the board for electrically connecting the board to the lamp holder. Further assembly is used as a press button.

Response to Arguments

Applicant's arguments filed 6/24/2005 have been fully considered but they are not persuasive.

Regarding applicants assertion that the lamps disclosed by Chliwnyj are not connected by different pathways, the examiner respectfully disagrees. As further illustrated by figure 1, the circuit elements are in fact connected to different pathways formed on the circuit board between the microprocessor and the lamps.

Conclusion

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 9/9/2005 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (571) 272-2454. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ASHOK PATEL
PRIMARY EXAMINER